

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Jane Does 1-10,

Plaintiffs,

v.

Case No. 14-10522

BFC Management Company d/b/a
Ace of Spades Detroit,

Sean F. Cox
United States District Court Judge

Defendant.

**ORDER DENYING PLAINTIFF'S MOTION FOR LEAVE TO FILE AN AMENDED
COMPLAINT (Doc. #71) and ADMINISTRATIVELY CLOSING CASE DUE TO
BANKRUPTCY STAY**

Plaintiffs filed this action on February 4, 2014, seeking to bring a collective action against Defendant under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (“the FLSA”). Plaintiffs are proceeding in this action pseudonymously by order of this Court.

On October 9, 2014, a Notice of Filing of Petition in Bankruptcy was filed by Defendant’s bankruptcy attorney. (Doc. #68). Pursuant to 11 U.S.C. section 362, the filing of a petition in bankruptcy operates as a stay of “the commencement or continuation . . . of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title” *Ibid.*

On November 14, 2014, Plaintiff filed a Motion for Leave to File an Amended Complaint (Doc. #71). Plaintiff seeks to dismiss BFC Management Company as a Defendant and add Masoud Hanna Sesi as a Defendant in this case. (Doc. #71).

The Court finds that the automatic stay prevents the continuation of this case, including the

filing of an amended complaint. Therefore, the Court shall DENY Plaintiff's Motion for Leave to File a First Amended Complaint (Doc. #71).

It further appearing to the Court that the automatic bankruptcy stay will remain in effect for a substantial period of time, and there existing a possibility that at the close of such stay this matter will either be voluntarily dismissed by the parties or abandoned without notice to the Court, and there appearing to be no further reason at this time to maintain the file as an open one for statistical purposes, IT IS ORDERED that the Clerk close this matter for statistical purposes. Nothing contained in this Order or the related docket entry shall be considered a dismissal or disposition of this matter. Should further proceedings become necessary or desirable, any party may initiate them upon termination of the stay of proceedings in the same manner as if this order had not been entered.

IT IS SO ORDERED.

S/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: December 2, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 2, 2014, by electronic and/or ordinary mail.

S/Jennifer McCoy

Case Manager